

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

2011 JAN 20 A 10:43

UNITED STATES OF AMERICA

UNDER SEAL

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

v.

) Criminal No. 1:10cr409

JUAN FERNANDO MUNOZ VASQUEZ

1/21/11 JCC

DEFENDANT'S POSITION WITH
RESPECT TO SENTENCING

Defendant, by and through Counsel, in accordance with 18 U.S.C. § 3553(a) and Section 6A1.2 of the Sentencing Guidelines and Policy Statements submits this memorandum regarding the sentencing factors.

Presentence Report and Advisory Sentencing Guidelines.

The defendant has no additions or corrections to the facts or factors contained in the presentence report.

18 U.S.C. § 3553(A) Sentencing Factors.

1. A. Nature and circumstances of the offense.

The defendant began participating in a prostitution ring bringing women from Maryland to Virginia when he lost his job and needed money. Unknown to the defendant, one of the females he was transporting was a minor who was picked up by law enforcement.

2. The sentence will adequately and reasonably reflect the seriousness of the offense, promote respect for the law, and provide just punishment for the offense. The sentence will afford adequate deterrence to criminal conduct and will adequately and reasonably protect the public from further crimes of the defendant.

The offense carries a mandatory minimum sentence of 120 months. Such a sentence is

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more than adequate to reflect the seriousness of the offense, provide a just punishment, deter the defendant from any future criminal conduct and protect the public from further crimes of the defendant.

3. **The sentence is necessary to provide the defendant with needed educational training, medical care, and other correctional treatment in the most effective manner.**

The defendant would benefit from substance abuse counseling and educational and vocational training offered by the Bureau of Prisons.

4. **Types of sentences available.**

The Court is required to sentence the defendant to a term of incarceration.

5. **Whether the sentence will create an unwarranted disparity between the defendant and others with similar records who have been found guilty of similar conduct.**

A term of incarceration is the sentence that others who have been convicted of this offense are given by the Court.

Fine, Restitution.

The defendant has limited assets and cannot afford to pay a fine, costs of incarceration, supervised release or probation.

Sentencing Position.

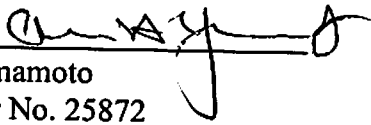
The defendant asks the Court to sentence him a term of incarceration at the statutory mandatory minimum. The defendant faces deportation upon completion of his sentence.

Such a sentence will reflect the nature and circumstances of the offense and the characteristics of the defendant, the seriousness of the offense, promote respect for the law and provide just punishment for the offense. The sentence will afford adequate deterrence to criminal

conduct and protect the public from further crimes of the defendant.

Respectfully submitted,

Juan Fernando Munoz Vasquez
By Counsel

/s/ 

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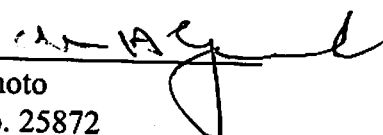
CERTIFICATE OF SERVICE

I certify that on the 19th day of January 2011, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Marc Jeffrey Birnbaum, Esquire
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314,

A copy of the foregoing will be delivered to

Joanne Lauder
U.S. Probation Office
401 Courthouse Square
Alexandria, Virginia

/s/ 
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